IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 24054 of 2007(L)

PETITIONER:

DR.K.SUNIL, AGED 38, S/O E.J.KUNJACHAN,
EDASSERIL, S.L.PURAM, ALAPPUZHA.

BY ADV. SRI.E.S.M.KABEER

RESPONDENTS:

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1. THE VICE CHANCELLOR,
UNIVERSITY OF CALICUT, CALICUT UNIVERSITY P.O.,
MALAPPURAM DISTRICT.

2. THE UNIVERSITY OF CALICUT,
REPRESENTED BY ITS REGISTRAR,
CALICUT UNIVERSITY P.O.

BY ADV.SRI.P.C.SASIDHARAN.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/08/2007,

THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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WP(C).No. 24054 of 2007-L

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Dated this the 14th day of August, 2007.

JUDGMENT

The enactment of a new statute cannot always result in galloping the filing rate in the High Court in writ jurisdiction. The Right to Information Act gives the entitlement to apply for information. If that is refused, alternate remedy is provided. If that is also not expeditious, the Act itself takes care of further measures. But the case in hand shows that the University and the petitioner are contesting in WP(C).No.17045/2007 in which, going by the averments in this writ petition, the question is as to whether the petitioner was the second rank holder in a selection or whether the said list contains the name of only one person who has allegedly not joined. While that issue is gaining attention of this Court and it

would be up to the University to substantiate its case, I am not inclined to issue any direction by treating the situation as a case of refusal to exercise statutory authority under the Right to Information Act. The writ petition fails. The same is accordingly dismissed without prejudice to any of the rights of the petitioner in relation to WP(C). No.17045/2007.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

Sha/-